

KATHRYN N. NESTER, Federal Public Defender (#13967)
ROBERT K. HUNT, Assistant Federal Public Defender (#5722)
DAPHNE A. OBERG, Assistant Federal Public Defender (#11161)
OFFICE OF FEDERAL PUBLIC DEFENDER
DISTRICT OF UTAH
Attorneys for Defendant
46 West Broadway, Suite 110
Salt Lake City, Utah 84101
Telephone: (801) 524-4010
Fax: (801) 524-4060

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	NOTICE OF INTERLOCUTORY APPEAL Case No. 2:17-CR-037
Plaintiff,	
v.	
CLAUD R. KOERBER,	

Plaintiff,

v.

CLAUD R. KOERBER,

Defendant.

Defendant, Claud R. Koerber, pursuant to Rule 4(b) of the Federal Rules of Appellate Procedure, hereby gives notice of his appeal to the United States Court of Appeals for the Tenth Circuit. Mr. Koerber asks for interlocutory review of the district court's denial of his motion to dismiss indictment as time-barred for violation of the statutes of limitations in his case and his request to enjoin prosecution of his case. (Docket Number 376.) The district court denied the motion during a hearing on May 7, 2018. This Court's jurisdiction over this interlocutory appeal rests both in 18 U.S.C. § 1291 and the collateral order doctrine articulated in *Cohen v. Beneficial Industrial Loan Corp.*, 337 U.S. 541, 545-47, 69 S.Ct. 1221, 1225-26, 93 L.Ed. 1528 (1949), as well as 18 U.S.C. § 1292(a)(1).

RESPECTFULLY SUBMITTED this 21st day of May, 2018.

/s/ Kathryn Nester
Federal Public Defender